12th February, 1935.

Dear Lord Noel-Buxton

My attention has been drawn to the report of your remarks in the House of Lords, on the occasion of the Debate on the question of refugees on the 6th of February, in regard to the action of Immigration Officers in refusing admittance to this country of refugees who had definite invitations to stay with friends known to be able to support them, and had no intention of taking work here.

If you would be good enough, as I see you offered to do, to furnish me with particulars of the actual cases which you have in mind, I shall be very glad to go into the matter. I should also be much obliged if you would let me have particulars of the cases in which the children of refugee parents in this country are said to have been refused permission

to proceed with their education at elementary schools.

Yrs sincerely

John Gilmour

The
Lord Noel-Buxton.

Refugees
Filmoor

Gen. 29/3/33.

9th April, 1935.

Dear Noel-Buxton

You were good enough to send me on the 1st March particulars of the cases to which you made reference in the debate in the House of Lords on the 6th February on the subject of refugees, and I have now had an opportunity of examining all these cases very carefully.

Before dealing with them in detail I should, perhaps, explain that the acuteness of the world-wide economic depression and the disturbed conditions of post-war Europe, resulting in political upheavals in Austria, Germany, Spain and other countries, has forced and is forcing large numbers of persons for a variety of reasons which are not all political to seek settlement in another country because it is no longer comfortable, or even, in many cases, possible for them to make a livelihood in their own. From the point of view of such persons the political stability of this country and the fact that we have, in

many respects, suffered in the last few years less severely than other countries from the depression, make the United Kingdom appear an attractive place of settlement. In face of this situation the policy of the Government is to maintain a very strict control over the admission of foreigners to this country with a view to settlement, a control which has however been relaxed from time to time in the case of some genuine political refugees. That is in accord with the very old practice of our country, but apart from that exception is only made in cases of persons who are of independent means or who propose to engage in some activity which does not involve any competition with our own people.

On the other hand it is essential, while maintaining a rigid control over the admission of foreigners for settlement, that, in the interests of our trade and for the encouragement of the increasingly important tourist traffic, as little restriction as possible should be placed upon the large inward traffic of genuine foreign visitors who come merely for business or pleasure and leave again. One of the difficulties, however, with which we have constantly

to contend in the administration of the system of control is that many foreigners seek to take advantage of the facilities which are given to the genuine visitor, to secure a footing in this country with a view to permanent settlement. Even if no immediate question of employment arises in such cases it is obvious that these persons, if allowed to establish themselves here, would, sooner or later, seek some form of livelihood which would involve their entering our already seriously overcrowded labour market, or engaging in other activities which, while not coming under the head of employment, are from the point of view of competition with our own people, scarcely distinguishable from employment in their effect. To allow a visit in cases where it is clear that a foreigner's primary motive in coming to this country is economic and that what is sought is not merely a visit, but permanent establishment and ultimate absorption into the economic life of this country, leads to endless difficulties and experience shows that in such cases it is better that admission for a visit should be refused.

to contend in the administration of the system of control is that many foreigners seek to take advantage of the facilities which are given to the genuine visitor, to secure a footing in this country with a view to permanent settlement. Even if no immediate question of employment arises in such cases it is obvious that these persons, if allowed to establish themselves here, would, sooner or later, seek some form of livelihood which would involve their entering our already seriously overstocked labour market, or competing in other activities which, while not coming under the head of employment, are from the point of view of competition with our own people, scarcely distinguishable from employment in their effect. To allow a visit in cases where it is clear that a foreigner's primary motive in coming to this country is economic and that what is sought is not merely a visit, but permanent establishment and ultimate absorption into the economic life of this country, leads to endless difficulties and experience shows that in such cases it is better that admission for a visit should be refused.

Of the cases which you mention, Numbers 1 and 2, Drechsler and Rosenthal are of this type.

DRECHSLER (Case 1). I need hardly assure you that the suggestion in the summary of this case, that the reference in letters to a dog had something to do with the Immigration Officer's decision, is quite without foundation. What was however found in one of the letters from Mr. Drechsler's woman friend was a series of instructions as to how he should deal with the Immigration Officer's examination, including the following, "Say as little as possible. They write it down, and the Home Office gets the report. You will get three or four weeks and we can do the rest". There was also evidence that the 4,000 francs which Drechsler produced and which he claimed to have made in his business in Paris, had in fact been sent to him by this lady. The Immigration Officer came to the conclusion that his intention was to establish himself in this country. On the evidence before me I do not see any reason to dissent from his judgment of the case and the refusal of leave to land seems to me to have been perfectly proper in the circumstances.

Of the cases which you mention, Numbers 1 and 2 Trechler and Rosenthal are of this type.

INTERPRETER (Case 1). I need hardly assure you that the suggestion in the summary of this case, that the reference in letters to a dog has something to do with the Immigration Officer's decision, is quite without foundation. What was however found in one of the letters from Mr. Trechler's woman friend was a series of instructions as to how he should deal with the Immigration Officer's examination, including the following, "Say as little as possible. They write it down, and the Home Office gets the report. You will get three or four weeks and we can do the rest". There was also evidence that the 4,000 francs which Trechler produced and which he claimed to have made in his business in Paris, had in fact been sent to him by this lady. The Immigration Officer came to the conclusion that his intention was to establish himself in this country. On the evidence before me I do not see any reason to dissent from his judgment of the case and the reasons of I have to land seems to me to have been perfectly proper in the circumstances.

It is not the case that a copy of the refusal of leave to land notice was sent to the authorities in Paris: it is of course possible that the French authorities would hear of the refusal from their officers engaged in the control of cross-channel traffic on the French side, but I am not aware that this would have any relevance to the question of the further stay in France of a man who had already, according to his statements, been in that country for two years.

Charlotte ROSENTHAL (Case 2). This lady is a German Jewess who had previously earned her living as a painter of postcards and calendars but had been out of work for eighteen months. She had been living with her mother, who owns and runs a small pension in Berlin. When she arrived at Harwich on the 14th October she said quite frankly that she had come to take up permanent residence in this country. She was destitute, and it appeared from letters from Miss Wigglesworth that there was at least a possibility that the result of her arrival would be that a woman then employed by Miss Wigglesworth and her niece at 14/6d. a week to run their home would lose her employment, as it was

It is not the case that a copy of the refusal of leave to land notice was sent to the authorities in Paris: it is of course possible that the French authorities would hear of the refusal from their officers engaged in the control of cross-channel traffic on the French side, but I am not aware that this would have any relevance to the question of the further stay in France of a man who had already according to his statements been in this country for two years.

The Tribunal has satisfied itself that Charlotte [illegible] (Case 3). This lady is a German Jewess who had previously served her living as a painter of postcards and calendars but had been out of work for eighteen months. She had been living with her mother, who owns and runs a small pension in Berlin. When she arrived at Harwich on the 14th October she said quite frankly that she had come to take up permanent residence in this country. She was destitute and it appeared from letters from Miss Bigelsworth that there was at least a possibility that the reason of her arrival would be that a woman then employed by Miss Bigelsworth and her niece at 14/ca. a week to run their home would leave her employment. As it was

stated in one letter that they could not afford to give shelter to Miss Rosenthal and also keep their servant. The question whether Miss Rosenthal was coming to this country as a guest or to replace a British employee was by no means clear, but in any event this circumstance was only a secondary consideration in the decision to refuse her leave to land. It is quite obvious from the letter of which a copy is appended to the summary you sent me that this unfortunate woman's one desire was to get out of Germany and that she had no intention, if admitted, of ever returning. No doubt Miss Wigglesworth (to whom she was personally quite unknown) was actuated by humanitarian motives in offering her temporary hospitality but of course such offers of hospitality do nothing to effect a permanent settlement of the situation of the many unfortunate people in Miss Rosenthal's plight and if this woman were admitted, she would, even if further hospitality were forthcoming, sooner or later have had to seek some means of livelihood here. There is nothing to suggest that she is a political refugee - she appears

stated in one letter that they could not afford to give shelter to Miss Rosenthal and also keep their servant. The question whether Miss Rosenthal was coming to this country as a guest or to replace a British employee was by no means clear, but in any event this circumstance was only a secondary consideration in the decision to refuse her leave to land. It is quite obvious from the letter of which a copy is appended to the memory you sent me that this unfortunate woman's one desire was to get out of Germany and that the prospect of her return, if she had been refused, would have been intolerable. No doubt Miss Higlesworth (to whom she was personally quite unknown) was actuated by humanitarian motives in offering her temporary hospitality but of course such offers of hospitality do nothing to effect a permanent settlement of the situation of the many unfortunate people in Miss Rosenthal's plight and if this woman were admitted, she would, even if further hospitality were forthcoming, sooner or later have had to seek some means of livelihood here. There is nothing to suggest that she is a political refugee - she appears

to be one of the large numbers of people who would like to settle in this country merely on account of the economic difficulties they encounter in their own. It is, as I have explained, quite impossible for this country to accept the indefinite liability which the admission of all these people would involve. Though the personal circumstances of the case may be extremely distressing, it is one in which in my view there was no alternative to refusal of admission. I may add that the case was most fully and carefully examined on personal representations by Mrs. Ormerod at this Office, before the decision to maintain the refusal of leave to land was finally confirmed.

but was this economic

The case of the Lipmanowicz family (Case 8) involves very similar considerations. There was, however, no question of a visit in this case. An enquiry was addressed to this Office by Mrs. Ormerod's organisation as to whether this family, consisting of husband and wife and two children residing in miserable conditions in Paris, could come to this country to stay with the wife's brother-in-law who though not a rich man was prepared to give them food and shelter.

to be one of the large number of people who would like to settle in this country merely on account of the economic difficulties they encounter in their own. It is, as I have explained, quite impossible for this country to accept the inherent liability which the admission of all these people would involve. Though the personal circumstances of this case may be extremely distressing, it is one in which in my view there was no alternative to refusal of admission. I may add that the case was most fully and carefully examined on its personal merits by the Commrad at this Office, before the decision to maintain the refusal of leave to land was finally confirmed.

The case of the Lipmanowicz family (Case 8) involves very similar considerations. There was however, no question of a visit in this case. An enquiry was addressed to this Office by Mr. Commrad's organization as to whether this family, consisting of husband and wife and two children residing in miserable conditions in Lodz, could come to this country to stay with the wife's brother-in-law who though not a rich man was prepared to give them food and shelter.

Ultimately this proposal involved the settlement and entry into the labour market in this country of at least three people, since whatever guarantees as to maintenance are given in such cases, it is not reasonable to expect able-bodied people to remain in idleness indefinitely. For this reason Mrs. Ormerod was informed that we would not suggest that Mr. and Mrs. Lipmanowicz should come to this country with their children.

Walter KNODERER (Case 6). This man who described himself as a cosmetician stated on arrival that he intended to set up a business in London for the removal of superfluous hair. It has long been the policy of this Office to refuse permission for foreigners to establish themselves in "one-man" businesses such as hairdressers, small retail shops and the like, since from the point of view of competition with our own people, there is little distinction between such enterprises and taking employment. Moreover this man had very inadequate capital for the purpose of buying the necessary plant, renting and fitting up premises, advertising etc., and maintaining himself in the early

Ultimately this proposal involved the settlement and entry into the labour market in this country of at least three people, since whatever guarantees as to maintenance are given in such cases, it is not reasonable to expect able-bodied people to remain in idleness indefinitely. For this reason Mr. Gwerdd was informed that we would not suggest that Mr. and Mrs. Ripmanowlas should come to this country with their children.

Walter Kochman (case 6). This man who describes himself as a chemist, has stated that he intends to set up a business in London for the removal of superfluous hair. It has long been the policy of this Office to refuse permission for foreigners to establish themselves in "one-man" businesses such as hairdressers, small retail shops and the like, since from the point of view of competition with our own people, there is little distinction between such enterprises and taking employment. Moreover this man has very inadequate capital for the purpose of buying the necessary plant, renting and fitting up premises, advertising etc., and maintaining himself in the early

stages of such a business and his previous experience had only been as a translator, real estate agent and clerk. His admission was accordingly refused. I may point out that in this case also there was no question of a visit.

Paul FOUCAR (Case 5). This man, a secondary school teacher had in his possession on arrival the addresses of various scholastic agencies, and admitted to the Immigration Officer that he intended to call on these agencies with a view to obtaining a post here. In view of his evident intention to seek employment he was refused leave to land under the provision of the Aliens Order which requires that a foreigner must be in possession of a Ministry of Labour permit before he can be given leave to land for the purpose of employment.

As regards cases 4, Elisabeth HOFFA and 9, Eberhard KOBEL, these are both cases in which insufficient guarantees or information were available on the foreigners' arrival, but leave to land was granted on their production at this Office. The persons in question were not sent back, but were allowed to land, and the summary of Kobel's case is inaccurate

stages of such a business, and his previous experience had only been as a translator, real estate agent and clerk. His admission was accordingly refused. I may point out that in this case also there was no question of a visit.

Paul TOUGAN (Case 8). This man, a secondary school teacher had in his possession on arrival the addresses of various scholastic agencies, and admitted to the Immigration Officer that he intended to call on these agencies with a view to obtaining a post here. In view of his evident intention to seek employment he was refused leave to land under the provision of the Aliens Order which requires that a foreigner must be in possession of a Ministry of Labour permit before he can be given leave to land for the purpose of employment.

As regards cases 4, Elisabeth SCHUTZ and 5, Gerhard KUNZ, these are both cases in which insufficient particulars of information were available on the foreigners' arrival, but leave to land was granted on their production at this office. The persons in question were not sent back, but were allowed to land, and the currency of Kobal's case is inaccurate

in saying that he was sent back on account of broken ribs and allowed to enter the country later. He remained on board the boat on which he arrived from Sweden on the 29th October until guarantees as to his maintenance had been given by his friends in this country and was then allowed to land.

Rudolf LESSER (Case 7), an artist, when he arrived at Harwich, produced a letter of invitation to stay with Mrs. Weiss and said that he was in receipt of 150 marks per month from his mother who was a teacher of singing in Germany. On further examination he admitted that he had had no money from his mother and that his mother was in England. It appeared that the mother received 150 marks a month from a sister-in-law in Germany but there was no evidence that the income was in any way assured and Lesser admitted that he had never been able and never expected to be able to earn money by his art. In the circumstances as neither he nor his mother could guarantee his maintenance the Immigration Officer felt obliged to refuse him leave to land. Subsequently the case was further considered in the light of full information furnished by

in saying that he was sent back on account of broken ribs and allowed to enter the country later. He remained on board the boat on which he arrived from Sweden on the 29th October until guarantees as to his maintenance had been given by his friends in this country and was then allowed to land.

Rudolf ISSER (Case 7), an artist, when he arrived at Harwich, produced a letter of invitation to stay with Mrs. Weiss and said that he was in receipt of 150 marks per month from his mother who was a teacher of singing in Germany. On further examination he admitted that he had had no money from his mother and that his mother was in England. It appeared that the mother received 150 marks a month from a sister-in-law in Germany but there was no evidence that the income was in any way assured and Isser admitted that he had never been able and never expected to be able to earn money by his art. In the circumstances as neither he nor his mother could guarantee his maintenance the Immigration Officer felt obliged to refuse him leave to land. Subsequently the case was further considered in the light of full information furnished by

Mrs. Ormerod and Mrs. Lesser herself to this Office as a result of which permission for a visit was granted.

I have gone into these cases in some detail, as I should like you to know that the refusal, in cases which have been refused, is not due to the arbitrary and high-handed action of an Immigration Officer, as your statement in the House of Lords rather seemed to suggest, but to the necessity of carrying out a policy which is imposed upon us by present conditions in Europe and in this country.

I fully appreciate that circumstances of personal hardship are often involved in such cases and I can assure you that every weight is given to them both at this Office and by the Immigration Officers, who perform their very difficult duty with all possible care and consideration; it is of course possible that a mistake may occasionally be made, but the actual cases which you have submitted to me are almost all cases which were fully examined at the time at this Office and represent a considered and careful decision of this Department.

As regards the question of the education of foreign children in this country, the position is that no objection is raised to foreign parents who are in this country having their children with them, and having them educated at the public expense, but it is not the practice to agree to foreign children whose parents are not here, being sent over to this country to the care of friends or relatives for education at the expense of British tax and rate-payers. I confess that I cannot see any ground on which a concession in this respect would be justified. You will appreciate that it is not only the cases of persons in Germany which are involved; similar applications in respect of children of persons belonging to other countries are frequently made to this Department and have to be refused; but in any event the number of parents in Germany and France who are unable to support their children and would be glad to send them over here is so considerable that it is very necessary to maintain this rule. There must be many such cases in which there is no likelihood of the children, if allowed to stay here for education, ever returning to their parents at all. As regards the particular

case of Siegfried and Otto Mangel (Case 3) permission for education at the public expense was refused in accordance with the above practice. Arrangements have since been made for Otto Mangel to go to a private school as a non-paying pupil.

A full statement of policy was made in the House of Commons by Crookshank on 1st November last.

Yrs sincerely
John Gilmour

The
Lord Noel-Buxton.

case of Ingfried and Otto Mangel (Case 3) permission for exposition at the public expense was refused in accordance with the above practice. Arrangements have since been made for Otto Mangel to go to a private school as a non-paying pupil.

A full statement of policy was made in the House of Commons by Groombank on 1st November last.

The
Hon. Joel-Maxton.